

REMARKS

Applicant's attorney acknowledges with appreciation the indication of allowability of the subject matter of claim 9. Accordingly, that claim has been placed in independent form by incorporating the subject matter of claims 1 and 8.

Additionally, claims 3 and 17 have each been restored to their previous, dependent form in view of the examiner's withdrawal of the indication of allowability of those claims. Further, each of independent claims 1, 14, and 15 has been similarly amended to more clearly recite the subject matter that the applicant regards as his invention. Dependent claims 8 and 16 have each also been amended, in view of the recitation in the related independent claims of a front edge of the gutter cover panel.

Claims 14 and 15 were objected to on the ground the recitation "an Inturned end" lacked antecedent basis. In that regard, each of those claims has been amended to add to the preamble the phrase "having an inturned front edge," to provide antecedent basis for the later reference in those claims of the cover panel front edge.

Claims 1, 2, 4, 5, 8, 10, 11, 14 through 16, and 18 were rejected as anticipated by the Sasamoto '797 reference. In that regard, the Sasamoto reference discloses a multi-component, adjustable depth gutter bracket, not a unitary structure as now recited in each of the independent claims. Furthermore, element 11 of Sasamoto, referred to by the examiner as the central panel, is a part of the lower structure that includes portions 12, 11, 10, 2, 8, and 9, and it does not extend in a longitudinal direction of the first leg, as does central panel 13 of the present invention as shown in Figures 1 through 4 of the present application, which serves to add rigidity to the

claimed bracket structure. And there is not disclosed in Sasamoto a support surface on the second leg (parts 4, 1, 13, 6, and 7) and which is spaced from the mounting surface for supporting an outer edge of an overlying gutter cover panel. As shown in Sasamoto's Figs. 1 and 2a, the support for screen 7 is at an intermediate position of the screen, probably because the screen can deflect and an intermediate support would minimize downward deflection of the screen from the weight of accumulated debris on the horizontally-disposed screen surface.

Further, the embodiment shown in Sasamoto's Figs. 3 through 5 also involves an inward position support of element 40, not a front edge support of that component. Consequently, the several structural differences that have been noted between the structure recited in the amended independent claims and the structures disclosed in the Sasamoto reference clearly differentiate the claimed structure from the reference structure, and therefore the Sasamoto reference does not anticipate the invention as it is claimed in amended independent claims 1, 14, and 15.

The dependent claims depend from respective amended independent claims, either directly or indirectly, and therefore those claims are also not anticipated, nor would they be rendered obvious, by the structure disclosed in the Sasamoto reference, and for the same reasons as are given above in connection with the independent claims. Moreover, each of those dependent claims contains additional recitations that further distinguish the invention as so claimed from the structures disclosed by Sasamoto.

Claims 3, 6, 7, 12, 13, and 17 were rejected as obvious based upon the Sasamoto reference. However, each of those claims depends directly or indirectly

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from an amended independent claim, and because each of the independent claims recites structure and function that is neither shown in nor suggested by the structures shown in the Sasamoto drawings, those dependent claims are not obvious, and therefore they are also patentably distinguishable over the structures disclosed in the Sasamoto reference.

Based upon the foregoing amendments and remarks, the claims as they now stand in the application are believed clearly to be in allowable form. The claims patentably distinguish over the disclosure contained in the Sasamoto '797 reference that was relied by the examiner, whether that reference be considered in the context of 35 U.S.C. § 102 or of 35 U.S.C. § 103. Consequently, this application is believed now to be in condition for allowance. Accordingly, reconsideration and reexamination of the application is respectfully requested with a view toward the issuance of an early Notice of Allowance.

The examiner is cordially invited to telephone the undersigned attorney if this amendment raises any questions, so that any such question can be quickly resolved in order that the present application can proceed toward allowance.

Respectfully submitted,



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